

Mailed on December 11, 2002

OFFICE ACTION

Patent Application Number : 2002-100337
Prepared on : December 5, 2002
Examiner, Patent Office : Satoru MORIKAWA
Attorney : Eiji Saegusa et al.
Applied Provisions : Section 29 (1), Section 29
(2) and Section 29bis

The above-identified application has been rejected for the reasons described below. The Applicant's response to the Action is to be filed within a period of 60 days from the mailing date of the Action.

REASONS

Reason 1: The inventions as defined in the following claims of this application cannot be patented under the Patent Law, Article 29 (1)(iii), since the claimed inventions are disclosed in the publications listed below which were distributed in Japan or other countries or opened to the public via telecommunications prior to the filing of this application.

Note: (A list of cited references is given below.)

Claims 1, 6, 7, 9 and 11

Cited Reference 1

Remarks:

Cited Reference 1 discloses an aliphatic polyester resin composition comprising a specific compound with polybutylene succinate, polybutylene succinate adipate or the like aliphatic polyester resins (Column 1, lines 2 to 20 and Column 4, lines 21 to 37), and therefore the inventions set forth in Claims 1, 6, 7, 9 and 11 of the present application are identical to those disclosed in Cited Reference 1.

Reason 2:

The inventions as defined in the following claims of this application cannot be patented under the Patent Law, Section 29 (2), since they could have easily been made by persons having ordinary skill in the art to which the inventions pertain, on the basis of the inventions described in the publications listed below, which were distributed in Japan or other countries or opened to the public via telecommunications prior to the filing of this application.

Note: (A list of cited references is given below.)

Claims: 9 and 10

Cited Reference 1

Note

Polylactic acid is an aliphatic polyester resin which was well known to persons skilled in the art to which the present invention pertains before the filing date of the present application. Therefore, skilled artisans would have easily arrived at using polylactic acid as an aliphatic polyester resin disclosed in Cited Reference 1.

Reason 3:

The inventions defined in the following claims of the present application cannot be patented under the Patent Law, Section 29bis, since the inventions are identical with the inventions disclosed in the specification or drawings originally attached to the following patent application filed before and published after the filing date of the present application, and since the inventor of the present application is not the same as the person who accomplished the inventions disclosed in the prior patent application, and the applicant of the present application at the time of filing is not the same as the applicant of the prior patent application.

Note: (A list of cited references is given below.)

Claims: 1, 3, 4, 6, 7, 9 and 10

Cited Reference 2

Note

The originally filed specification of Cited Reference 2 (hereinafter referred to as "specification of a prior application") discloses a polylactic acid resin composition comprising a specific compound as a plasticizer (Claim 1 and [0030] of the detailed explanation of the invention), and therefore the inventions set forth in Claims 1, 3, 4, 6, 7, 9 and 10 of the present invention are identical to those disclosed in the prior application.

Please note that patent documents and patent specifications include various inventions in addition to those disclosed as examples thereof.

For the claims other than those rejected in this Office Action, no reasons for rejection have been found at present. If any reasons for rejection are found at a later date, a further Office Action will be issued.

List of cited references

1. Japanese Unexamined Patent Publication No. 2001-294736
2. Japanese Patent Application No. 2000-351238 (Japanese Unexamined Patent Publication No. 2002-146170)

Record of Prior Art Search Results

- Searched Field(s) Int.Cl(*)
Int.Cl(7) C08L 67/00-67/02
C08L 67/04
Database: CA (STN)
REGISTRY (STN)
- Prior art document: not present

This record does not constitute reasons for rejection.

Any inquiries concerning this communication or requests for interviews should be directed to Examiner Satoru MORIKAWA (3rd Examination Division, High polymers) at the

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